# Next Gen Skills questions

This survey asks whether, and to what extent, your courses expose students to the foundation skills identified on the NextGen Bar Exam.

\* Indicates required question

1. Email \*

2. What is the name of the Course you are evaluating? \*

Foundational Skills Group A: Issue Spotting and Analysis, Investigation and Evaluation

The purpose of Group A Skills is to assess the extent to which an examinee can apply fundamental legal principles and legal reasoning to analyze given fact patterns.

 Does this course require students to <u>identify which legal principles are likely to</u> \* <u>affect the outcome of a matter?</u>

Mark only one oval.

Introduces/	'exposes	students	to	this	skill
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Requires a degree of proficiency to successfully complete the course

This course does not currently incorporate this skill, and I doubt it could be incorporated into this course

4. Does this course require students to <u>identify which facts are likely to be relevant to or</u> <u>dispositive of a legal issue in a matter?</u>

Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

This course does not currently incorporate this skill, and I doubt it could be incorporated into this course

This course does not currently incorporate this skill, but I see ways in which I could incorporate this skill in this course

5. Does this course require students to <u>identify the applicable standards of review</u> and/or burdens of proof that will apply to legal issues in a matter?

Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

This course does not currently incorporate this skill, and I doubt it could be incorporated into this course

This course does not currently incorporate this skill, but I see ways in which I could incorporate this skill in this course

6. Does this course require students to <u>identify the strengths and weaknesses of a</u> <u>client's position or an opposing party's position</u>, <u>based on the relevant legal rules and</u> <u>standards?</u>

## Mark only one oval.

- Introduces/exposes students to this skill
- Requires a degree of proficiency to successfully complete the course

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incorp	orated into t	his course				

7. Does this course require students, in a matter that requires additional factual development, to identify which facts need to be investigated, or the best strategy for investigating or eliciting those facts, in order to be able to evaluate the strengths and weaknesses of a client's position or an opposing party's position based on the relevant legal rules and standards?

Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

This course does not currently incorporate this skill, and I doubt it could be incorporated into this course

This course does not currently incorporate this skill, but I see ways in which I could incorporate this skill in this course

8. Does this course require students to assess the probable outcome of a claim, motion, discovery matter, or objection based on the relevant legal rules and standards?

Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

This course does not currently incorporate this skill, and I doubt it could be incorporated into this course

9. Does this course require students to identify the applicable or dispositive language, standards, elements, or factors of a provided resource (such as a statute, contract, or judicial opinion)?

Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

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Foundational Skills Group B: Client Counseling and Advising, Negotiation and Dispute Resolution, Client Relationship and Management

The purpose of Group B Skills is to assess the extent to which an examinee can identify lawyering strategies within the lawyer-client relationship, based on the relevant rules and standards and consistent with a client's objectives, interests, and constraints.

10. Does this course require students to <u>identify which claims to recommend bringing</u>, \* <u>which remedies to recommend seeking</u>, which evidence to present, which <u>arguments or defenses to raise</u>, or how to respond to arguments or defenses, <u>based on the relevant legal rules and standards and consistent with a client's</u> <u>objectives</u>, interests, and constraints?

Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

This course does not currently incorporate this skill, and I doubt it could be incorporated into this course

11. Does this course require students, in a matter requiring review of a provided transcript of an interview, deposition, or examination of a client or fact witness, to identify gaps in information obtained, suggestions for improvement, and/or grounds for objection?

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#### Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

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12. Does this course require students to <u>identify at least two factors that favor a</u> \* <u>client's position or at least two factors that favor an opposing party's position in a</u> <u>matter?</u>

Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

This course does not currently incorporate this skill, and I doubt it could be incorporated into this course

 Does this course require students to <u>identify at least two benefits or drawbacks of</u> \* <u>a proposed resolution of a dispute, consistent with a client's objectives, interests,</u> <u>and constraints?</u>

Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

This course does not currently incorporate this skill, and I doubt it could be incorporated into this course

This course does not currently incorporate this skill, but I see ways in which I could incorporate this skill in this course

14. Does this course require students to <u>identify potential terms of an agreement that</u> \* <u>could lead to a negotiated resolution of a dispute?</u>

Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

This course does not currently incorporate this skill, and I doubt it could be incorporated into this course

15. Does this course require students, in a matter in which a client has multiple stated \* <u>objectives, to explain why a legal rule or principle, as applied to the client's</u> <u>situation, may make one of those stated objectives unattainable?</u>

Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

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16. Does this course require students to <u>determine the best strategy for identifying a</u> \* <u>client's needs and interests underlying the client's stated objectives, in order to aid</u> <u>the client in setting goals in a matter?</u>

Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

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# Foundational Skills Group C: Legal Research

The purpose of Group C Skills is to test the extent to which an examinee can identify and implement legal research strategies, including preliminary issue-spotting, working with provided resources, developing and refining a theory of the case, and reaching closure on research questions.

17. Does this course require students, in a matter that requires legal research, to identify the research questions that need to be answered?

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Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

This course does not currently incorporate this skill, and I doubt it could be incorporated into this course

This course does not currently incorporate this skill, but I see ways in which I could incorporate this skill in this course

18. Does this course require students to identify ambiguities in the language, standards, elements, or factors of a provided resource (such as a statute, contract, or judicial opinion)?

Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

This course does not currently incorporate this skill, and I doubt it could be incorporated into this course

19. Does this course require students to identify efficient legal research strategies \* (including appropriate search terms) that are likely to uncover other legal sources to assist in the interpretation of a provided resource (such as a statute, contract, or judicial opinion)?

#### Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

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This course does not currently incorporate this skill, but I see ways in which I could incorporate this skill in this course

20. Does this course require students, given a collection to legal sources, to identify \* the roles and characteristics of the sources, including their authoritative weight?

Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

This course does not currently incorporate this skill, and I doubt it could be
incorporated into this course

21. Does this course require students, <u>given one or more judicial opinions</u>, to identify \* <u>the facts in a matter that are analogous to and/or distinct from the dispositive facts</u> <u>in the opinions?</u>

Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

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This course does not currently incorporate this skill, but I see ways in which I could incorporate this skill in this course

22. Does this course require students, <u>given a collection of legal sources</u>, to identify \* <u>other sources</u>, <u>search terms</u>, <u>or research strategies that might be used to update</u> <u>sources or find additional sources</u>?

Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

This course does not currently incorporate this skill, and I doubt it could be
incorporated into this course

23. Does this course require students, given a collection of legal sources, to identify \* which sources are relevant to or dispositive of a legal issue in the matter?

Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

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This course does not currently incorporate this skill, but I see ways in which I could incorporate this skill in this course

24. Does this course require students, <u>given a collection of legal sources, to identify</u> \* <u>whether the sources are sufficient to complete an assigned research or other</u> <u>lawyering task?</u>

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## Foundational Skills Group D: Legal Writing and Drafting

The purpose of Group D Skills is to test the extent to which an examinee can complete a legal writing or drafting task based on the relevant rules and standards and consistent with a client's objectives, interests, and constraints.

25. Does this course require students to draft or edit correspondence to a client explaining the legal implications of a course of action, updating the client on the status of the client's matter, and/or providing advice on the next steps to be taken in the matter?

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#### Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

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This course does not currently incorporate this skill, but I see ways in which I could incorporate this skill in this course

26. Does this course require students, given draft sections of a complaint or an answer to a complaint in a matter, to identify language that should be changed, and to make suggestions for how that language should change, consistent with the facts, the relevant legal rules and standards, and the client's objectives, interests, and constraints?

## Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

This course does not currently incorporate this skill, and I doubt it could be incorporated into this course

27. Does this course require students, <u>given draft sections of affidavits that must be</u> \* <u>submitted to a court or other tribunal in a matter, to identify the best affiant and</u> <u>best language to support each element to be proved, consistent with the facts, the</u> <u>relevant legal rules and standards, and the client's objectives, interests, and</u> <u>constraints?</u>

Mark only one oval.

Introduces/exposes students to this skill

Requires a degree of proficiency to successfully complete the course

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This course does not currently incorporate this skill, but I see ways in which I could incorporate this skill in this course

28. Does this course require students, <u>given draft provisions of a contract, to identify</u> \* <u>language that should be changed, and make suggestions for how that language</u> <u>should change, consistent with the facts, the relevant legal rules and standards,</u> <u>and the client's objectives, interests, and constraints?</u>

# Mark only one oval.

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Requires a degree of proficiency to successfully complete the course

This course does not currently incorporate this skill, and I doubt it could be incorporated into this course

29. Does this course require students, <u>given a collection of legal sources, to draft</u> <u>specified section(s) of a document, demonstrating skill at formulating an original</u> <u>legal analysis? This task may include an objective memo, a persuasive brief or</u> <u>letter, or another common document such as a mediation brief, an opinion letter,</u> <u>or a draft proposal for a contract.</u>

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